

STATE OF
COLORADO

Eschberger - DNR, Amy <amy.eschberger@state.co.us>

Objection to Schnabel Transit Mix Groundwater misrepresentation Permit M2017049

Cheri Kimble <g.kimble@pcisys.net>

Thu, Mar 29, 2018 at 1:20 PM

To: "Eschberger - DNR, Amy" <amy.eschberger@state.co.us>

Cc: Nancy Reed <ncr.turkeycreek@gmail.com>, Rich Larsen <rlarsensh@aol.com>, Eric.Scott@state.co.us, Amanda Bradley <aab@ablawcolorado.com>, Carrie Bernstein <csb@ablawcolorado.com>

Amy and Eric,

Below is my objection to the misrepresentation to the adequacy Groundwater review item 4 submitted to you by Jerry Schnabel.

In the 2018-03-09_Permit File - M2017049 (6) page 49, 50

Under DRMS COMMENTS – ERIC SCOTT – ADEQUACY REVIEW OF GROUNDWATER INFORMATION

4) The applicant should clarify whether any attempt has been made to measure/monitor water levels in the adjacent domestic wells.

Response: *Transit Mix has requested meetings with Eagles Nest landowners, and these requests have been denied. Therefore, no water levels have been measure from the nearby locations.*

I want to **complain about this above misrepresentation and excuse from Transit Mix**. It is true that Jerry Schnabel had contacted Nancy Reed the President of our informal Eagles Nest Association. She explained to him several time that the association is not a legal HOA and that while she has contact information for some owners, she does not and cannot speak for anyone but herself.

Nancy brought up in July of 2017 that Jerry Schnabel wanted to meet with Eagles Nest owners. We all voted to say we would meet, but **only** if Jerry would write down the proposals he wanted to discuss. Jerry failed to do so after repeated conversations with only Nancy Reed who repeated the request for written proposals. It was not until **Feb 27th, 2018** (see attached letter) that I/we received the attached communication dated Feb. 26th, 2018 to Eagles Nest owners.

Please note in the attached letter that there is NO MENTION OF MONITORING ANY WELLS IN EAGLES NEST!!!!!!

I also want to point out that Richard and Sue Larson have one of the wells that the application states will be affected. They were never contacted by Jerry Schnabel. His

3/29/2018

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answer to your adequacy review is entirely inadequate and false. We appreciate that Eric thought that monitoring would be a reasonable thing that Transit Mix should do but Transit Mix doesn't really want to protect us, just make a profit at our expense.

This misrepresentation is typical of previous encounters with Jerry Schnabel and is the reason that Eagles Nest Owners want things in writing as he has misrepresented things discussed with us in his previous application with CDRMS.

I have copied Nancy Reed and Richard Larsen as well as my attorney Amanda Bradley and her associate Carrie Bernstein for their information.

regards,

Cheryl L. Kimble [719-210-9932](tel:719-210-9932)



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TRANSIT MIX CONCRETE CO.



Feb. 26, 2018

Dear Eagles nest residents:

In response to our conversations I am gathering the Mining Permits controlled by Transit Mix and affiliated companies both active and past operations:

Continental Materials Corporation

Transit Mix Concrete Co.

Transit Mix Concrete Company

Castle Concrete Company

Please see the attached documents.

Also I am confirming my earlier text message that Transit Mix is willing to commit to the following discussions regarding the future efforts at the proposed Hitch Rack Quarry.

- Transit mix will use company equipment and personnel to maintain the roads through the upper portion of the Hitch Rack and the roads within the Eagles Nest Subdivision
- Transit Mix will assist in the improved water crossings by donating man power and equipment to install improvements as engineered by others.
- We will provide the electrical power extension to the west boundary of the Hitch Rack Quarry.
- We will construct and maintain a helicopter landing pad on the Lower Ranch at Hitch Rack.
- Noise and vibration monitors will be installed per the permit, and the information shared with the Eagles Nest residents in a timely manner.
- All blast notices will be posted on line
- The water maintained on site and water vehicles will also be available for emergency use by the Eagles Nest Residents

We are also willing to discuss the warranty on water wells and the mineral value that is potentially in Eagles Nest. These are conversations the can lead to a formal document if we agree.

Sincerely,

Gerald Schnabel



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County:	All Counties
Operator:	Castle Concrete Company
Permit Number:	All Permit Numbers
Mine Name:	All Mine Names
Permit Status:	Any Permit Status
Commodity:	All Commodities

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Operator	Permit Issued	Contact	County
Site Name	Permit No.	Address Line 1	Permit Acreage
Permit Type	Permit Status	Address Line 2	Mine Type
QT/OT/OT	Section	City State Zip Code	Annual Fee
Section	Township	Range	Prime Meridian
Telephone	Commodities Mined (USGS Codes)	Required Surety	
Castle Concrete Company		3820 N 30th Street	El Paso
Queens Canyon Quarry		(303) 578-0215	0.00
M1976002HR		Colorado Springs CO 80907-0000	SR
112c	WD		\$0.00
/NE/SE	21		\$0.00
13S	67W		
06			
Castle Concrete Company		Rick Paraday	El Paso
Sand Plant		P.O. Box 2379	0.00
M1977212	5/27/1980	Colorado Springs CO 80901-0000	SR
112c	TR	(719) 598-0215	\$550.00
/NE/NE	4		\$0.00
15S	66W		
06			
Castle Concrete Company		Rick Paraday	Fremont
Great Blue Heron Pit		P.O. Box 2379	67.90
M1988023	11/22/1988	Colorado Springs CO 80901-0000	SR
112c	TR	(719) 598-0215	\$888.00
SE/NE/SW	13		\$221,888.00
19S	69W		
06			
Castle Concrete Company		P.O. Box 2379	Jackson
Brownlee Pit		Colorado Springs CO 80907-0000	8.00
M1976012	TR	(303) 598-0215	SR
110c	8		\$0.00
//			\$0.00
9N	79W		
06			
Castle Concrete Company		Rick Paraday	Pueblo
Hobson Ranch Pit 2		P.O. Box 2379	191.40
M1986078	10/22/1986	Colorado Springs CO 80901-0000	SR
112c	TR	(719) 598-0215	\$688.00
/SW/NW	5		\$4,075.00
20S	67W		
06			

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Operator:	Continental Materials Corporation
Permit Number:	All Permit Numbers
Mine Name:	All Mine Names
Permit Status:	Any Permit Status
Commodity:	All Commodities

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Operator Site Name Permit No. Permit Type	Permit Issued Permit Status	Section	Township	Range	Prime Meridian	Contact Address Line 1 Address Line 2 City State Zip Code	Telephone	Commodities Mined (USGS Codes)	County Permit Acreage Mine Type Annual Fee
OT/OT/OT									Required Surety
Continental Materials Corporation Daniels Sand Pit 2 M1973007SG 112c //	1/7/1981 AC 3	15S	66W	06		Andre Laroché 444 E. Costilla St. Colorado Springs CO 80903-0000 (719) 475-0700		SDG	El Paso 352.30 SR \$791.00 \$1,038,500.00
Continental Materials Corporation Queens Canyon Quarry M1977209 112c NE/SE	5/27/1980 TR 21	13S	67W	06		Pete Melcher 444 E. Costilla Colorado Springs CO 80903-0903 (719) 475-0700		LST	El Paso 161.20 SR \$688.00 \$10,000.00
Continental Materials Corporation Snyder Quarry M1977210 112c //NW	5/27/1980 AC 32	13S	67W	06		Andre Laroché 444 E. Costilla St. Colorado Springs CO 80903-0000 (719) 227-2035		LST	El Paso 110.00 CO \$791.00 \$340,000.00
Continental Materials Corporation Pikeview Quarry M1977211 112c SE/NE	5/27/1980 AC 9	13S	67W	06		Andre LaRoche 444 E. Costilla Colorado Springs CO 80903-0000 (719) 491-0288		LST GRT DOL	El Paso 246.46 SR \$791.00 \$4,226,000.00
Continental Materials Corporation Cañon Dolomite Quarry M1977376 112c //NW/SW	9/22/1978 AC 30	18S	70W	06		Andre Laroché 444 E. Costilla St. Colorado Springs CO 80803-0000 (719) 475-0700		DOL	Fremont 481.00 SR \$791.00 \$232,000.00
Continental Materials Corporation Grisenti Farms Gravel Pit M2001005 112c //SW/NE	5/23/2001 AC 13	19S	69W	06		Andre Laroché 444 E. Costilla St. Colorado Springs CO 80903-0000 (719) 227-2035		SDG	Fremont 115.30 SR \$791.00 \$115,000.00
Continental Materials Corporation Hobson Ranch Pit M1974131 112c //	5/27/1981 TR 6	20S	67W	06		Pete Melcher 444 E. Costilla Colorado Springs CO 80903-0903 (719) 475-0700		SDG	Pueblo 54.33 SR \$688.00 \$9,962.00
Continental Materials Corporation Pueblo West Pit M1977573 112c //SE	3/22/1978 AC 32	20S	65W	06		Andre Laroché 444 E. Costilla St. Colorado Springs CO 80903-0000 (719) 475-0700		SDG	Pueblo 127.75 SR \$791.00 \$343,323.00
Continental Materials Corporation Barnhart Pit M1984008 112c //	5/9/1984 TC 5	21S	64W	06		Andre Laroché 444 E. Costilla St. Colorado Springs CO 80903-0000 (719) 475-0700		SDG	Pueblo 67.80 SR \$791.00 \$69,470.00
Continental Materials Corporation Pueblo East Pit M1986015 112c //NE	11/12/1987 AC 34	20S	64W	06		Andre Laroché 444 E. Costilla St. Colorado Springs CO 80903-0000 (719) 475-0700		SDG	Pueblo 466.16 SR \$791.00 \$2,288,004.00

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Permit Number:	All Permit Numbers
Mine Name:	All Mine Names
Permit Status:	Any Permit Status
Commodity:	All Commodities

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Operator Site Name Permit No. Permit Type	Permit Issued Permit Status	Contact Address Line 1 Address Line 2 City State Zip Code	County Permit Acreage Mine Type Annual Fee
QT/QT/QT	Section Township Range Prime Meridian	Telephone	Commodities Mined (USGS Codes)
Transit Mix Concrete Co. Hitch Rack Ranch Quarry M2016010 112c SWNE	DN 16S 16S 67W	Andre LaRoche 444 E Costilla St. Colorado Springs CO 80903-0000 (719) 475-0700	El Paso 392.75 SR \$0.00 \$0.00
Transit Mix Concrete Co. Hitch Rack Ranch Quarry M2017049 112c SE/NW	AP 16N 16N 67W 06	Jerold Schnabel 444 E. Costilla St. Colorado Springs CO 80903-0000 (719) 475-0700	El Paso 398.88 SR \$0.00 \$0.00

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Commodity:	All Commodities

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Operator Site Name Permit No. Permit Type	Permit Issued Permit Status	Contact Address Line 1 Address Line 2 City State Zip Code	County Permit Acreage Mine Type Annual Fee
QT/QT/QT	Section Township Range Prime Meridian	Telephone	Commodities Mined (USGS Codes) Required Surety
Transit Mix Concrete Company Castle Sand Pit M1977213 112c NE/NE	5/27/1980 TR 3 15S 66W 06	Rick Paraday P.O. Box 2379 Colorado Springs CO 80901-1030 (719) 598-0215	El Paso 34.70 SR \$550.00 \$40,000.00

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